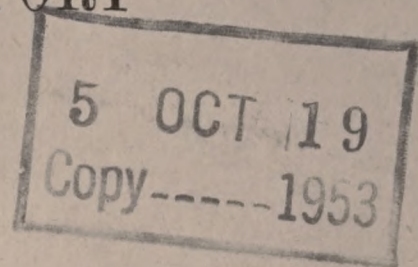


PROCEEDINGS AND REPORT



OF THE

Committee on the Memorial to Congress,

APPOINTED BY A

MEETING OF CITIZENS AT THE ROOMS OF
THE CHAMBER OF COMMERCE,

FRIDAY, JANUARY 18, 1861.

NEW YORK:

R. C. ROOT, ANTHONY & CO., 16 NASSAU STREET.

1861.

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OF THE

Committee on the Memorial to Congress,

APPOINTED BY A MEETING OF CITIZENS AT THE ROOMS OF THE
CHAMBER OF COMMERCE,

FRIDAY, JANUARY 18, 1861.

*The Memorial of the Subscribers, Citizens of the State of New
York, respectfully sheweth :*

That, while sharing in common with our fellow-citizens, the general solicitude at the dangers which are now threatening the peace and unity of our country, they desire to give their urgent and emphatic expression of the necessity which seems to exist for mutual conciliation and compromise, and without discussion as to the merits of the various questions at issue, believing that the perpetuity of the Union of these United States as one nation, is of vastly more importance than the establishment or rejection of this or that subject of controversy, and that the people of the North will approve of the general outline of the plan of compromise agreed upon by the Senators and Representatives of the Border States.

Your memorialists humbly pray that such measures may be speedily adopted by Congress, for the settlement of our present difficulties, as will embrace substantially the plan of compromise so recommended by the Representatives of the Border States, and which, they believe, will restore tranquillity and peace to our now distracted country.

Resolutions Adopted, Friday, January 18, 1861.

I.—*Resolved*, That a Committee be appointed to circulate the foregoing Memorial for signatures, and to have the city, and, as far as practicable, the State, canvassed for that purpose.

II.—*Resolved*, That a Committee of our most influential citizens, irrespective of party, be appointed, with power to add to their number, to take charge of the Memorial when signed, and forward or present the same at Washington, in such manner as they may deem most judicious, using their influence for the settlement of the existing National difficulties.

III.—*Resolved*, That a copy of this call and the proceedings of this meeting be forwarded to each of the Senators and Representatives of this State in Congress, and also to each of the Senators and Representatives in our State Legislature.

Committee appointed by the Chairman, on the First Resolution.

SIMEON BALDWIN,
NATHANIEL SANDS,
JACOB ANTHONY, JR.,
F. S. LATHROP,

D. HENRY HAIGHT,
THEODOSIUS BARTOW,
HUGH AUCHINCLOSS,
SAMUEL HALL.

JOHN R. VOORHIS,

Committee appointed by the Chairman, on the Second Resolution.

A. A. LOW,
LUTHER BRADISH,
PELETIAH PERIT,
PETER COOPER,
WILLIAM E. DODGE,
HENRY A. SMYTHE,
WILLIAM H. ASPINWALL,
WILLIAM A. BOOTH,
E. E. MORGAN,

R. C. ROOT,
JAMES HARPER,
ROYAL PHELPS,
SAMUEL D. BABCOCK,
WM. W. DE FOREST,
E. H. GILLILAN,
HENRY A. HURLBUT,
WILSON G. HUNT,
WALDEN PELL,

EDWIN HOYT.

WILLIAM A. BOOTH,

Chairman of the Meeting.

SIMEON BALDWIN,

Secretary of the Meeting.

MINUTES OF MEETING APPOINTING SPECIAL COMMITTEE.

Friday, January 25, 1861.

An adjourned meeting of the Committee on the Memorial to Congress met on Friday, January 25, at 1 o'clock, P. M., at the Chamber of Commerce.

Present, eighteen.

On motion it was

Resolved, That the Committee to visit Washington on Monday next consist of at least twenty-five gentlemen.

• SECOND.

Resolved, That a Committee of five be appointed by the Chairman, to prepare a basis of agreement to be adopted by this Committee, which they will recommend to Congress during their proposed visit in Washington; and that this basis or agreement be submitted at an adjourned meeting to-morrow.

In pursuance of this resolution the following members were selected:

- | | |
|----------------------|----------------------|
| 1. LUTHER BRADISH, | 3. WILLIAM E. DODGE, |
| 2. WILLIAM A. BOOTH, | 4. A. A. LOW, |
| 5. ROYAL PHELPS. | |

On motion, Mr. Bradish declining on account of his health to serve as Chairman, Mr. A. A. Low was elected in his place.

REPORT OF THE SPECIAL COMMITTEE.

Saturday, January 26, 1861.

The Special Committee, to whom was assigned the duty of digesting and presenting a proper basis of action for the Committee charged with the presentation to Congress of the Memorial of Citizens of New York, praying that such measures may be adopted by Congress as will restore tranquillity and peace to our now distracted country, beg leave respectfully to report,—

That, since the last meeting of the Memorial Committee, a legislative printed Document has been received, stated to embrace Propositions for an adjustment of pending difficulties between the Northern and Southern States, agreed upon by a Committee of the Border States, including Delaware, Maryland, Virginia, Kentucky, Missouri, and North Carolina, from the South; and New Jersey, Pennsylvania, Ohio, Indiana, and Illinois, from the North. These Propositions contemplate both Acts of Legislation and Amendments of the Constitution, and which, with some modifications and additions, are as follows, and which the Special Committee adopt as part of this their Report, which they submit for the consideration of the Memorial Committee, and respectfully recommend for their adoption as the basis of their action under the Memorial, and in furtherance of its objects:

“JOINT RESOLUTION”

Proposing certain Amendments to the Constitution of the United States.

WHEREAS serious and alarming dissensions have arisen between the Northern and Southern States concerning the rights, and security of the rights of the slaveholding States, and especially their rights in the common Territory of the United States; and whereas it is eminently desirable and proper that those dissensions, which now threaten the very existence of this Union, should be permanently quieted and settled by constitutional provisions, which shall do equal justice to all sections, and thereby restore to the people that peace and good will which ought to prevail between all the citizens of the United States: Therefore—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following articles be, and are hereby, proposed and submitted as amendments to the Constitution of the United States, which shall be valid to all intents and purposes as part of said Constitution, when ratified by conventions of three-fourths of the several States:

ARTICLE 1. That Congress shall have no power to legislate touching persons held to service or labor in places under its exclusive jurisdiction within the limits of States which have made cessions to the United States, without the consent of the State or States making such grants.

ARTICLE 2. That in all the present Territory of the United States, situate north of latitude thirty-six degrees thirty minutes, slavery or involuntary servitude, except as a punishment for crime, shall be prohibited while such Territory shall remain under territorial government. That in all the present Territory of the United States south of said line, neither Congress, nor any territorial Legislature, shall hereafter pass any law abolishing or prohibiting, or in any manner interfering with African slavery; and when any such Territory north or south of said line, within such boundaries as Congress may prescribe, in any area of sixty thousand square miles, shall contain a population entitling it to one member of Congress, and shall apply for admission, as a State, into the Union, it shall come in on an equality with the other States, with or without slavery, as its constitution may determine.

ARTICLE 3. That the laws for the suppression of the African slave trade ought to be made effectual, and ought to be thoroughly executed; and that the importation of slaves from abroad into the United States or its Territories is prohibited perpetually.

ARTICLE 4. Congress shall have no power to prohibit the removal or transportation of persons held to service or labor from any State, in which such service or labor is recognized, by law, to another State in which such service or labor is so recognized.

ARTICLE 5. Congress shall have no power to regulate, abolish, or control within the States, the relations established or recognized by the law of any State respecting persons held to service or labor by the laws thereof.

ARTICLE 6. That no Territory shall be acquired by the United States, without the consent of three-fourths of the members of the Senate.

And whereas, also, besides those causes of dissension embraced in the foregoing amendments proposed to the Constitution of the United States, there are others which come within the jurisdiction of Congress, and may be remedied by its legislative power; and whereas it is the desire of Congress, as far as its power extends, to remove all just cause for the popular discontent and agitation which now disturb the peace of the country, and threaten the stability of its institutions: Therefore—

1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the laws now in force for the recovery of fugitive slaves are in strict pursuance of the plain and mandatory provisions of the Constitution, and have been sanctioned as valid and constitutional by the judgment of the Supreme Court of the United States; that the slaveholding States are entitled to the faithful observance and execution of those laws, and that they ought not to be repealed or so modified or changed as to impair their efficiency; and that laws ought to be made for the punishment of those who attempt, by rescue of the slave or other illegal means, to hinder or defeat the due execution of said laws.

2. That all State laws which conflict with the fugitive slave acts, or any other constitutional acts of Congress, or which in their operation impede, hinder, or delay the free course and due execution of any of said acts, are null and void by the plain provisions of the Constitution of the United States, and we respectfully and earnestly recommend to the several States which have enacted them their immediate repeal.

3. That the act of the eighteenth of September, eighteen hundred and fifty, commonly known as "*The fugitive slave law*," ought to be amended so as to provide for its more complete and efficient operation, and that such amendments should

provide, among other things, for the prevention of kidnapping under it, and to equalize the fees of the commissioner mentioned in the eighth section thereof.

4. That an act be passed, directing that the demand for the surrender of fugitives from justice, or from service or labor, be made to the United States District Judge of the State and District in which such fugitive may be found, thereby to make the right of surrender, in every case, a judicial question, and thus secure justice and uniformity of decision.

5. That an act be passed punishing marauding expeditions from any State or Territory of this Union against the people of any other State or Territory, and also punishing the setter on foot or organization of such expedition, or making preparations therefor.

All which is respectfully submitted.

A. A. LOW,
L. BRADISH,
W. E. DODGE,
ROYAL PHELPS,
WM. A. BOOTH.

At a meeting of the Committee of citizens at the rooms of the Chamber of Commerce, New York, Saturday, January 26, 1861, the preceding Report was unanimously adopted, and a Committee, consisting of thirty gentlemen, was authorized to proceed to Washington and urge the said Report upon the consideration of Congress.

A. A. LOW, *Chairman.*
J. SMITH HOMANS, *Secretary.*

NEW YORK, January 26, 1861.

COMMITTEE ON MEMORIAL TO CONGRESS.

New York, January 26, 1861.

LUTHER BRADISH,
E. H. GILLILAN,
JAMES HARPER,
D. HENRY HAIGHT,
WILSON G. HUNT,
HENRY A. HURLBUT,
R. L. KENNEDY,
DANIEL LORD,
A. A. LOW,
F. S. LATHROP,
JOHN J. PHELPS,
ROYAL PHELPS,
GEORGE S. ROBBINS,
R. C. ROOT,
NATHANIEL SANDS,
HENRY A. SMYTHE,
JONATHAN STURGES,

F. S. WINSTON,
HENRY YOUNG,
A. R. WETMORE,
E. E. MORGAN,
HUGH AUCHINCLOSS,
WM. V. BRADY,
JAMES M. BROWN,
WILLIAM A. BOOTH,
THEODOSIUS BARTOW,
SAMUEL D. BABCOCK,
PETER COOPER,
WILLIAM E. DODGE,
JOHN C. GREEN,
JAMES GALLATIN,
DANIEL LOW,
S. B. CHITTENDEN,
EDWARD LEARNED,

AMOS R. ENO.

Meeting of the Committee, Feb. 8, 1861, to receive
the Report of the Committee on Memorial to
Congress.

Friday, February 8, 1861.

The Committee of citizens on the Memorial to Congress met
Friday, February 8, at 12 o'clock.

Mr. Wm. A. Booth in the Chair.

Mr. A. A. Low read a report of the proceedings of the Com-
mittee on their late visit to Washington, signed by the Chairman
and others.

On motion of Mr. PERIT, seconded by Mr. LATHROP, the re-
port read by Mr. Low was unanimously accepted.

On motion, duly seconded, the report was adopted. Remarks

were made by Messrs. LATHROP, GALLATIN, LOW, PERIT, JOHN J. PHELPS, MORGAN, WINSTON, TILESTON, and CHITTENDEN.

On motion of Mr. WINSTON, it was

“Resolved, That the Report presented by Mr. Low, the Chairman of the Committee to visit Washington, and just adopted, be referred to the Committee on Printing, for publication, with such other documents of this Committee as they may deem proper and expedient.”

Mr. Low was added to the Committee of five on printing.

REPORT OF THE COMMITTEE.

The Committee of twenty-five appointed at a meeting held at the rooms of the Chamber of Commerce of the State of New York, on the 18th ult., "to take charge of the Memorial (then adopted) when signed, and forward or present the same at Washington in such manner as they may deem most judicious, using their influence for the settlement of existing difficulties," beg leave to report:—

That, pursuant to the instructions thus conveyed to them, they left the city of New York on Monday, the 28th ult., and arrived in Washington on the evening of the next day.

Agreeably to appointment, on the morning of Wednesday the 28th January, they went in a body to the house of the Honorable William H. Seward, to whom they stated that they were the bearers of a Memorial signed by 38,000 or more of their fellow-citizens, soliciting Congress to adopt some measures which would be adequate to the settlement of our national difficulties, and handed to him the "report" of the Sub-Committee adopted in New York, Saturday, January 26th.

They represented, as fully as they were able to do, the great importance attached to the settlement of our national difficulties, by the community from which they came, and urged with all their power the wisdom of tendering to the South the utmost concessions that could be made consistently with honor and principle.

They endeavored, in a becoming manner, to present the claims of the commercial emporium to be heard at this juncture as the source of pecuniary power, and the chief reliance of the Government in times of pecuniary need.

Having been permitted to give a full and free statement of their views, the Honorable Senator favored your Committee with an interesting account of past events and present prospects in connection with his own position, and defined the limitations within which he must restrict himself in presenting their memorial to the Senate of the United States.

In regard to the issue of the pending controversy, he expressed the confident hope, that, through the conciliatory and peaceful action of the incoming administration, the South would be won back to a higher regard for the Union,—a union to which she is invited to return by a recollection of the manifold blessings enjoyed in the past, and in whose honor and renown she must ever have a real and abiding interest, despite the manifestations of passion now so rife in certain quarters of the country.

On the afternoon of the same day, your Com-

mittee had an interview with the Honorable Preston King, at which a similar line of argument was adopted and amplified. To which the Honorable Senator responded—displaying, throughout, a somewhat lengthy exposition of his views, a marked and considerate courtesy, and a frankness that left no room to doubt his adherence to opinions adopted many years ago, and consistently held ever since.

On Thursday, January 31st, the Memorial was presented to the Senate, members of your Committee attending in the gallery as witnesses of the ceremony.

The Honorable Senator from New York accompanied the presentation with a speech, which has since appeared in print, together with the debate which it called forth.

At three o'clock of the same day your Committee invited a conference with members of the border States, and they had the pleasure of meeting, in one of the Committee rooms of the Capitol, representatives from North Carolina, Maryland, Virginia, Kentucky, Tennessee, Missouri, and Arkansas, to whom they explained the purpose of their visit to Washington, and presented copies of the "report" they brought with them.

These gentlemen all united in testifying to the attachment of a large majority of the people of their respective States to the Union, and to their determination to adhere to it, if a reasonable plan of compromise be adopted.

They concurred in saying that a plan which would have answered some weeks since, would be less likely to be satisfactory now, but did not distinctly admit that any thing short of the "Crittenden" Compromise would be; though your Committee were led to think, as a result of their interview, that the propositions known as those of the "Border States" would prove sufficient to keep those States in the Union.

This opinion has been confirmed, to a certain extent, by the intercourse your Committee have had with men of both parties and of both sections, and by inquiry in other quarters.

On Friday evening, after many of the delegation had left for their homes, the Committee had a most interesting meeting with Republican members of the Senate and House of Representatives to the number of sixty or seventy.

On the side of the Committee, such reasons were adduced as had been employed previously in their interviews with the Senators from New York, to impress upon the members of Congress then present, the importance of responding to the sentiments contained in their Memorial by early and conciliatory action.

They were listened to with attention, and many members, both of the Senate and House, declared their conviction that the Republican party should unite as one man in tendering the "olive branch" to the South; while others, differing in opinion as to the best course to be taken, seemed nevertheless

to be animated by patriotic purposes. This appeared to be true generally of those who *attended the meeting*.

Your Committee returned to New York without much hope of any marked result from their mission. The difficulties that surround the question at issue are many, and apparently insurmountable, perplexing the judgment, and baffling all the efforts of the legislator and the statesman, or threatening to do so.

To investigate the causes of the present crisis, it would be necessary to trace the origin and progress of the different parties that have so long agitated the two sections of the country; to survey the whole field of politics, and to weigh the influences exerted upon the public mind by the press and the pulpit. This is a task for others to perform.

The impression is that there has been a growing sentiment of hostility on the part of the North to the Institutions of the South, indicated by the election to the Presidency of the candidate of the Republican party. To the Southern people this has a significance even greater than the circumstances under which the act was accomplished would seem to warrant. From the state of the northern *mind* in respect to slavery, the southern people are disposed to interpret the condition of the northern *heart*, and they are led to think that a feeling of hostility has arisen, and extends to the slaveholder himself. Driven to the defence of an In-

stitution, the existence of which is providential in its origin—when regarded by the men of our day—an institution which they consider vital to their welfare, the advantages of which are shared by the people of the whole country, while its evils are borne only by themselves, they cannot and will not brook the interference of other States in its treatment, and are aroused to passion in asserting its immunity from attack.

United with the North by political bonds for purely political ends, the people of the Southern States have watched with jealousy the increasing power of the North, its growth in numbers and influence; and, underlying all their recent acts, is to be discovered an ill-grounded apprehension that the principles enunciated by the dominant party will result in the most aggressive action.

They have seen attempts on the part of the North to nullify, by legislation, constitutional provisions and congressional enactments for the security of their "property;" a disposition to question the validity of judicial decisions, and a determination to deprive them of "equal rights" in the territories—a claim, which, whether new or old, good or bad, is asserted by the South on the authority of the highest tribunal of the land.

All these things have been discussed in and out of Congress with a bitterness of spirit which has at last wrought a general alienation of feeling on the side of the South towards the people of the North. The contest has now, to some extent, passed out of

the Houses of Congress; and States claiming to be "sovereign," have assumed to vindicate for themselves the "rights" which have been denied to their representatives; to assert, with arms, if need be, their independence, and, at every hazard, to maintain a separate existence.

The events of the three months past are too fresh in the memory to require recapitulation, and it is not the business of your Committee to explain the motives which have caused the violent and precipitate action of States far south of the border line. The historian will, perhaps, at no distant day, attempt to draw the line so difficult for human hands to trace, which separates honor from dishonor; and show how loyalty to the State may sometimes be treason to the Constitution—that Constitution which so many have sworn to defend, and yet, with arms in their hands, have openly defied.

Your Committee were called upon to recognize existing facts, to urge upon their own representatives a conciliatory course of action, such concessions on the part of the North as would comport with the honor and well-being of the country, and serve to restore a better feeling between all the members of the confederacy.

Six States claim to have gone out of the Union by acts of secession, removing from Congress their Senators and Representatives; thus disturbing, to a very great extent, the influence exerted by the South at large upon the legislation of the country.

The "Border States" hesitate to follow, apparently desiring to continue in the Union if they can acquire such an adjustment of existing difficulties as will invite those that have gone out to return; or, at least, secure to themselves the safe enjoyment of their domestic institutions, and an honorable position in the great Republic which has been the source of their strength, as it is, and must be, the home of their affection and pride.

Your Committee are not prepared to say what modification of party platforms may have to be made to secure the "Border States" to the Union, but they are unitedly of the opinion that the good of the country demands the adoption of some measures that will be adequate to the emergency. They are convinced that in conceding thus much no violence will be done to the wishes of the people at large, none to the heart of the patriot and the Christian. If the most that is asked were conceded, or asked with any expectation of its being granted; posterity may calmly await the issue, without any fear that slavery will be extended over a foot of ground, or receive any accessions in number, which other conditions do not as effectually determine and control.

As hereinbefore stated, your Committee have used the little influence they possess, in promoting the cause of peace and harmony.

They have urged a spirit of patriotism, and have been met, not infrequently, by the spirit of

party. The presses of the North, in the interest of party, exert a powerful influence, and restrain a generous disposition on the part of northern Representatives.

But your Committee would not fail to mention that the maintenance of the Government at the present time depends mainly upon the action of the Republican party, and that harmony in its ranks is essential to its usefulness and very existence.

At the same time, the seizure of forts, arsenals, dockyards, cutters, and other property of the Federal Government, the invasion of one State by the troops of another, even prior to secession, with hostile intent, and other acts alike unwarrantable, have served to exasperate Members of Congress who are engaged in the faithful performance of their duty; and these things enhance the difficulty and increase the danger.

Time is wanted to bring about necessary legislation, and it is not to be concealed that the secessionists, prompted by ambition, perhaps in fulfilment of preconceived designs, have precipitated action for the express purpose of preventing such legislation.

Under these circumstances, your Committee can only suggest that all possible means be used to neutralize the efforts of men at the North, who are acted on by views and purposes as hostile to the Union as those which govern the leaders of secession; of men who encourage resistance to every

reasonable concession that conflicts with party dogmas and party ends.

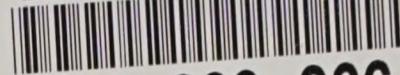
Many Representatives in Congress, patriotic and good men, need but to know the public sentiment of the North, in order to be governed by it. Failing to acquire it through other channels, they look to the papers published at the North for guidance and direction. If immediate and good results are to be obtained, your Committee recommend that it be exerted through these organs wherever established.

Respectfully submitted,

A. A. LOW,
W. E. DODGE,
E. H. GILLILAN,
E. E. MORGAN,
D. HENRY HAIGHT,
THEODOSIUS BARTOW,
F. S. WINSTON,
HUGH AUCHINCLOSS,
ROBERT LENOX KENNEDY,
R. C. ROOT,
NATHANIEL SANDS,
H. A. SMYTHE,
F. S. LATHROP,
JAMES HARPER,
DANIEL LOW,
ROYAL PHELPS,
PETER COOPER,
SAMUEL D. BABCOCK,
W. G. HUNT,
JAMES M. BROWN.

NEW YORK, February 8th, 1861.

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